

### REMARKS

Claims 1 and 3-25 remain pending in this application. Claim 2 has been canceled without prejudice or disclaimer. Claims 1, 4-6, 9, 10, 17, 20 and 21 have been amended to more particularly point out applicants' invention. The 1.75 limitation in claim 1 is supported in Example 9 in the present specification. Claim 2 has been rewritten as amended independent claim 1, and claim 4 has been rewritten in independent form. No new matter or limitations have been introduced by these amendments.

Claims 1-4, 8, 9, 11, 13, 20, 21 and 25 have been rejected as being anticipated by Amagai et al. (U.S. Patent No 6,130,307). According to the rejection, Amagai et al. teaches all the limitations of these claims including a ratio of SH/NCO groups of 3.4 in example 5 of Table 1 and the use of one or more polyisocyanates with and without sulfur (col. 5, lines 1-28). This rejection is traversed.

In order for a reference to anticipate a claim, each and every limitation of the claim must be expressly or inherently described in the reference. *Trintec Industries v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q. 2d 1597 (Fed. Cir. 2002). MPEP 2131. The '307 Amagai et al. patent describes a process and lens similar to the claimed invention, but does not describe either explicitly or inherently, a "ratio (by mol) of polythiol compound (b) to polyisocyanate compound (c) is at least 1.75 calculated on the basis of -SH and -NCO groups" as recited in claim 1, or "at least 2" as recited in claim 4. All claims are either directly or indirectly dependent on claims 1 or 4.

There is no explicit teaching in Amagai et al. regarding the recited SH/NCO ratio, and the examples of Amagai et al. yield the following ratios:

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<u>Example</u>	<u>SH/NCO mol ratio</u>
1	0.158784
2	0.158784
3	0.211712
4	0.305195
5	1.220779
6	1.627706
7	0.185811
8	0.185811
9	0.188345
10	0.188345
11	0.251126
12	0.251126

The calculation of these ratios is exemplified for Example 5 which was stated in the rejection to have a ratio of 3.4: (1) the molecular weight of XDI is 188, its equivalent weight is 94, and 25 parts by weight is equivalent to 0.265957 mols; (2) the molecular weight of BMES is 154, its equivalent weight is 77, and 25 parts by weight is equivalent to 0.324675 mols; (3) the ratio of SH/NCO is  $0.324675/0.265957$  or 1.220779.

Accordingly, since Amagai et al. neither expressly nor inherently describes the ratio limitation recited in all claims, the anticipation rejection should be withdrawn. In addition, there is nothing in this reference that would teach or suggest any modification of the teachings of Amagai et al. to obtain the recited ratios.

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Claims 16 and 18 have been rejected under 35 U.S.C. § 103(a) as being obvious over Amagai et al. and Keita et al. (U.S. Patent No. 5,973,098). In addition to the teachings of Amagai et al. referenced in the rejection of claim 1, the teachings of Keita et al. are relied on for the disclosure (col. 4, lines 6, 7) of using dicyclohexylmethane dicsocyanate in a polymer composition useful for optical lenses. However, there is nothing in the teachings of Keita et al. that would teach or suggest modifying the teachings of Amagai et al. to obtain the recited ratios. Accordingly, since a prima facie case of obviousness of the claims is not supported by the combination of Amagai et al. and Keita et al., this rejection should be withdrawn.

Claims 22-24 have been rejected under 35 U.S.C. § 103(a) as being obvious over Amagai et al. and Tamiguchi et al. (U.S. Patent No. 4,904,525). Tamiguchi et al. is relied on as describing (col. 9, lines 14-39) coatings on plastic lenses comprising a silane first coat, a second coat comprising an inorganic antimony compound, and a top coat of a fluoro/silicon material. However, since Tamiguchi et al. does not suggest modifying the teachings of Amagai et al. to obtain the recited ratios, this combination can not support a prima facie case of obviousness. Accordingly, this rejection should be withdrawn.

Prompt and favorable reconsideration of this application in view of the amendments and remarks contained in this reply is respectfully requested.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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